



DATE: August 3, 2016

TO: Advisory Board of Health (ABH) Members

FROM: Bonnie Paulsen, Public Health Administrator and ABH Staff Advisor

RE: City of Bloomington's Email Address Policy for its Boards and Commissions Members

The City recently discussed data practice requests and discovery and that any Commission-related materials (such as official emails and City items on City-issued iPads) would likely be public information. As a result, all email communications related to City business (including those communications relative to the Advisory Board of Health) should be received to/sent from a private email address that is not shared by family members or others and is not a corporate account used for or associated with your employment with another organization.

What is strongly suggested is the use of a free, third-party email service, such as Gmail or Hotmail, for your City account. It is further suggested to avoid using that email account for any personal email or for anything that may constitute an official record of City business, as such records, emails and/or City items on your City-issued iPad would likely be considered government data that are subject to a public-records request under the Minnesota Government Data Practices Act (MGDPA). Further, these items must be retained in accordance with the state records-retention requirements.

There are a couple of things to consider before using a personal email account for City business. First, only you should have access to the personal email account. Using a shared account with other family members could lead to information being inadvertently deleted. Also, since City emails are government data, City officials/commissioners may have to separate personal emails from City emails when responding to a public-records request.

Second, if the account you want to use for City business is tied to a private employer, that private employer may have a policy that restricts this kind of use. Even if a private employer allows this type of use, it is important to be aware that in the event of a public-records request under the MGDPA, or a discovery request in litigation, the private employer may be compelled to have a search done of your email communication on the private employer's equipment or to restore files from a backup or archive.

This topic will be on ABH's September Agenda. Please let us know if you have any questions.